



STATE OF WISCONSIN

Assembly Journal

One-Hundred and Second Regular Session

1:05 P.M.

WEDNESDAY, January 7, 2015

The Assembly met in the Assembly Chamber located in the State Capitol.

Speaker Pro Tempore August in the Chair.

Representative Steineke asked unanimous consent for a quorum call. Granted.

A quorum was present.

The prayer was offered by Rabbi Dena Feingold of Beth Hillel Temple in Kenosha.

Representative Zepnick led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present - Representatives Allen, August, Ballweg, Barca, Barnes, Berceau, Billings, Born, Bowen, Brandtjen, E. Brooks, R. Brooks, Brostoff, Considine, Craig, Czaja, Danou, Doyle, Edming, Gannon, Genrich, Goyke, Heaton, Hebl, Hesselbein, Hintz, Horlacher, Hutton, Jacque, Jagler, Jarchow, Johnson, Jorgensen, Kahl, Kapenga, Katsma, Kerkman, Kessler, Kitchens, Kleefisch, Knodl, Knudson, Kolste, Kooyenga, Kremer, Krug, Kuglitsch, Kulp, T. Larson, Loudenebeck, Macco, Mason, Meyers, Milroy, Murphy, Mursau, Murtha, Nerison, Neylon, Novak, Nygren, Ohnstad, A. Ott, J. Ott, Petersen, Petryk, Pope, Quinn, Riemer, Ripp, Rodriguez, Rohrkaste, Sanfelippo, Sargent, Schraa, Shankland, Sinicki, Skowronski, Spiros, Spreitzer, Steffen, Steineke, Stuck, Subeck, Swearingen, Tauchen, C. Taylor, Thiesfeldt, Tittl, Tranel, VanderMeer, Vorpapel, Wachs, Weatherston, Young, Zamarripa, Zepnick and Speaker Vos - 98.

Absent with leave - Representative Bernier - 1.

Vacancies - None.

LEAVES OF ABSENCE

Representative Murtha asked unanimous consent for a leave of absence for today's session for Representative Bernier. Granted.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 1

Relating to: election of chief justice (second consideration).

By Representatives Hutton, August, Krug, Ballweg, E. Brooks, Craig, Czaja, Horlacher, Jacque, Kerkman, Kleefisch, Knodl, Knudson, Kooyenga, Kuglitsch, Kulp, Mursau, Neylon, A. Ott, Petersen, Quinn, Sanfelippo, Schraa, Skowronski, Tauchen, Tittl, Vorpapel, Weatherston, Kapenga and Swearingen; cosponsored by Senators Tiffany, Darling, Farrow, Lasee, Lazich, LeMahieu, Moulton, Nass, Olsen, Vukmir and Wanggaard.

To committee on **Judiciary**.

Assembly Bill 1

Relating to: a school review system, providing an exemption from emergency rule procedures, providing an exemption from rule-making procedures, granting rule-making authority, and making an appropriation.

By Representatives Thiesfeldt, Vos, Steineke, Rodriguez, Knodl, Nygren, Petryk, Schraa, Macco, A. Ott, Kleefisch, Gannon, Mursau, Weatherston, Rohrkaste, Czaja, Swearingen, Krug, Loudenebeck, VanderMeer, Ballweg, E. Brooks, T. Larson, R. Brooks, Kooyenga, Knudson, Kulp, Jarchow and Spiros.

To committee on **Education**.

Assembly Bill 2

Relating to: laying out, altering, or discontinuing a town line highway.

By Representative J. Ott.

To committee on **Judiciary**.

Assembly Bill 3

Relating to: appealing a municipal court matter after review by a circuit court.

By Representative J. Ott.

To committee on **Judiciary**.

Assembly Bill 4

Relating to: incorporation of the town of Ledgeview in Brown County.

By Representative J. Ott.

To committee on **Judiciary**.

Assembly Bill 5

Relating to: intimidating a witness.

By Representative J. Ott.

To committee on **Judiciary**.

Assembly Bill 6

Relating to: eliminating an obsolete statutory provision.

By Representative J. Ott.

To committee on **Judiciary**.

Assembly Bill 7

Relating to: lesser included homicide crimes.

By Representative J. Ott.

To committee on **Judiciary**.

Assembly Bill 8

Relating to: invading an individual's privacy by viewing under or through clothing and providing a penalty.

By Representatives J. Ott, Sargent, Kerkman, Wachs, T. Larson, Kleefisch, Hebl, Nygren, Spiros, Murphy, Kahl, Jacque, C. Taylor, Berceau and E. Brooks; cosponsored by Senators Darling, Harris Dodd, Nass and Risser.

To committee on **Judiciary**.

COMMUNICATIONS

December 19, 2014

To the Chief Clerks of the Assembly and Senate:

I, DOUGLAS LA FOLLETTE, Secretary of State of Wisconsin, do hereby certify that the following proposed amendments to the Constitution of the State of Wisconsin have been approved by the regular session of the 2013-14 legislature and duly published as required by Section 1 of Article XII of the Constitution:

Enrolled Joint Resolution 16 (first consideration)

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

OATH OF OFFICE

On Wednesday, January 6, Wisconsin Supreme Court Chief Justice Shirley S. Abrahamson administered the oath of office to Nicholas J. Milroy of the Seventy-third Assembly District in a ceremony held in the Supreme Court Hearing Room.

Speaker Vos introduced a privileged resolution.

INTRODUCTION AND REFERENCE OF PROPOSALS

Assembly Resolution 3

Relating to: the assembly rules.

By Representatives Vos, Steineke and August.

Privileged and read.

Assembly Amendment 1 to **Assembly Resolution 3** offered by Representatives Kessler and C. Taylor.

Representative Steineke moved that Assembly Amendment 1 to **Assembly Resolution 3** be laid on the table.

The question was: Shall Assembly Amendment 1 to **Assembly Resolution 3** be laid on the table?

The roll was taken.

The result follows:

Ayes - Representatives Allen, August, Ballweg, Born, Brandtjen, E. Brooks, R. Brooks, Craig, Czaja, Edming, Gannon, Heaton, Horlacher, Hutton, Jacque, Jagler, Jarchow, Kapenga, Katsma, Kerkman, Kitchens, Kleefisch, Knodl, Knudson, Kooyenga, Kremer, Krug, Kuglitsch, Kulp, T. Larson, Loudenberg, Macco, Murphy, Mursau, Murtha, Nerison, Neylon, Novak, Nygren, A. Ott, J. Ott, Petersen, Petryk, Quinn, Ripp, Rodriguez, Rohrkaste, Sanfelippo, Schraa, Skowronski, Spiros, Steffen, Steineke, Swearingen, Tauchen, Thiesfeldt, Tittl, Tranel, VanderMeer, Vorpapel, Weatherston and Speaker Vos - 62.

Noes - Representatives Barca, Barnes, Berceau, Billings, Bowen, Brostoff, Considine, Danou, Doyle, Genrich, Goyke, Hebl, Hesselbein, Hintz, Johnson, Jorgensen, Kahl, Kessler, Kolste, Mason, Meyers, Milroy, Ohnstad, Pope, Riemer, Sargent, Shankland, Sinicki, Spreitzer, Stuck, Subeck, C. Taylor, Wachs, Young, Zamarripa and Zepnick - 36.

Absent or not voting - Representative Bernier - 1.

Motion carried.

Assembly Amendment 2 to **Assembly Resolution 3** offered by Representatives Berceau and Billings.

Representative Steineke moved that Assembly Amendment 2 to **Assembly Resolution 3** be laid on the table.

The question was: Shall Assembly Amendment 2 to **Assembly Resolution 3** be laid on the table?

The roll was taken.

The result follows:

Ayes - Representatives Allen, August, Ballweg, Born, Brandtjen, E. Brooks, R. Brooks, Craig, Czaja, Edming, Gannon, Heaton, Horlacher, Hutton, Jacque, Jagler, Jarchow, Kapenga, Katsma, Kerkman, Kitchens, Kleefisch, Knodl, Knudson, Kooyenga, Kremer, Krug, Kuglitsch, Kulp, T. Larson, Loudenberg, Macco, Murphy, Mursau, Murtha, Nerison, Neylon, Novak, Nygren, A. Ott, J. Ott, Petersen, Petryk, Quinn, Ripp, Rodriguez, Rohrkaste, Sanfelippo, Schraa, Skowronski, Spiros, Steffen, Steineke, Swearingen, Tauchen, Thiesfeldt, Tittl, Tranel, VanderMeer, Vorpapel, Weatherston and Speaker Vos - 62.

Noes - Representatives Barca, Barnes, Berceau, Billings, Bowen, Brostoff, Considine, Danou, Doyle, Genrich, Goyke, Hebl, Hesselbein, Hintz, Johnson, Jorgensen, Kahl, Kessler, Kolste, Mason, Meyers, Milroy, Ohnstad, Pope, Riemer, Sargent, Shankland, Sinicki, Spreitzer, Stuck, Subeck, C. Taylor, Wachs, Young, Zamarripa and Zepnick - 36.

Absent or not voting - Representative Bernier - 1.

Motion carried.

Assembly Amendment 3 to **Assembly Resolution 3** offered by Representatives Subeck, Sargent, C. Taylor, Kessler, Sinicki, Barca, Zamarripa, Shankland and Jorgensen.

Representative Steineke moved that Assembly Amendment 3 to **Assembly Resolution 3** be laid on the table.

The question was: Shall Assembly Amendment 3 to **Assembly Resolution 3** be laid on the table?

The roll was taken.

The result follows:

Ayes - Representatives Allen, August, Ballweg, Born, Brandtjen, E. Brooks, R. Brooks, Craig, Czaja, Edming, Gannon, Heaton, Horlacher, Hutton, Jacque, Jagler, Jarchow, Kapenga, Katsma, Kerkman, Kitchens, Kleefisch, Knodl, Knudson, Kooyenga, Kremer, Krug, Kuglitsch, Kulp, T. Larson, Loudenberg, Macco, Murphy, Mursau, Murtha, Nerison, Neylon, Novak, Nygren, A. Ott, J. Ott, Petersen, Petryk, Quinn, Ripp, Rodriguez, Rohrkaste, Sanfelippo, Schraa, Skowronski, Spiros, Steffen, Steineke, Swearingen, Tauchen, Thiesfeldt, Tittl, Tranel, VanderMeer, Vorpapel, Weatherston and Speaker Vos - 62.

Noes - Representatives Barca, Barnes, Berceau, Billings, Bowen, Brostoff, Considine, Danou, Doyle, Genrich, Goyke, Hebl, Hesselbein, Hintz, Johnson, Jorgensen, Kahl, Kessler, Kolste, Mason, Meyers, Milroy, Ohnstad, Pope, Riemer, Sargent, Shankland, Sinicki, Spreitzer, Stuck, Subeck, C. Taylor, Wachs, Young, Zamarripa and Zepnick - 36.

Absent or not voting - Representative Bernier - 1.

Motion carried.

Assembly Amendment 1 to Assembly Amendment 4 to **Assembly Resolution 3** offered by Representatives Hintz and Hebl.

The question was: Shall Assembly Amendment 1 to Assembly Amendment 4 to **Assembly Resolution 3** be adopted?

Motion carried.

Assembly Amendment 4 to **Assembly Resolution 3** offered by Representatives Hebl, Hintz, Jorgensen and Kleefisch.

The question was: Shall Assembly Amendment 4 to **Assembly Resolution 3** be adopted?

The roll was taken.

The result follows:

Ayes - Representatives Allen, August, Ballweg, Barca, Barnes, Berceau, Billings, Born, Bowen, Brandtjen, E. Brooks, R. Brooks, Brostoff, Considine, Craig, Czaja, Danou, Doyle, Edming, Gannon, Genrich, Goyke, Heaton, Hebl, Hesselbein, Hintz, Horlacher, Hutton, Jacque, Jagler, Jarchow, Johnson, Jorgensen, Kahl, Kapenga, Katsma, Kerkman, Kessler, Kitchens, Kleefisch, Knodl, Knudson, Kolste, Kooyenga, Kremer, Krug, Kuglitsch, Kulp, T. Larson, Loudenberg, Macco, Mason, Meyers, Milroy, Murphy, Mursau, Murtha, Nerison, Neylon, Novak, Nygren, Ohnstad, A. Ott, J. Ott, Petersen, Petryk, Pope, Quinn,

Riemer, Ripp, Rodriguez, Rohrkaste, Sanfelippo, Sargent, Schraa, Shankland, Sinicki, Skowronski, Spiros, Spreitzer, Steffen, Steineke, Stuck, Subeck, Swearingen, Tauchen, C. Taylor, Thiesfeldt, Tittl, Tranel, VanderMeer, Vorpapel, Wachs, Weatherston, Young, Zamarripa, Zepnick and Speaker Vos - 98.

Noes - None.

Absent or not voting - Representative Bernier - 1.

Motion carried.

The question was: Shall **Assembly Resolution 3** be adopted?

The roll was taken.

The result follows:

Ayes - Representatives Allen, August, Ballweg, Born, Brandtjen, E. Brooks, R. Brooks, Craig, Czaja, Edming, Gannon, Heaton, Horlacher, Hutton, Jacque, Jagler, Jarchow, Kapenga, Katsma, Kerkman, Kitchens, Kleefisch, Knodl, Knudson, Kooyenga, Kremer, Krug, Kuglitsch, Kulp, T. Larson, Loudenberg, Macco, Murphy, Mursau, Murtha, Nerison, Neylon, Novak, Nygren, A. Ott, J. Ott, Petersen, Petryk, Quinn, Ripp, Rodriguez, Rohrkaste, Sanfelippo, Schraa, Skowronski, Spiros, Steffen, Steineke, Swearingen, Tauchen, Thiesfeldt, Tittl, Tranel, VanderMeer, Vorpapel, Weatherston and Speaker Vos - 62.

Noes - Representatives Barca, Barnes, Berceau, Billings, Bowen, Brostoff, Considine, Danou, Doyle, Genrich, Goyke, Hebl, Hesselbein, Hintz, Johnson, Jorgensen, Kahl, Kessler, Kolste, Mason, Meyers, Milroy, Ohnstad, Pope, Riemer, Sargent, Shankland, Sinicki, Spreitzer, Stuck, Subeck, C. Taylor, Wachs, Young, Zamarripa and Zepnick - 36.

Absent or not voting - Representative Bernier - 1.

Motion carried.

VISITORS

During today's session, the following visitors honored the Assembly by their presence and were welcomed by the presiding officer and the members:

Brandon Weathersby, new staff member and guest of Representative Barnes.

Thomas Frost of Wauwatosa, brother-in-law and guest of Representative Kessler.

ANNOUNCEMENTS

Representative Spiros asked unanimous consent that the Assembly adjourn in memory of his grandmother, Virginia Digerloma Ferenczi, who passed away on December 25, 2014 at the age of 94. Granted.

Representative Jorgensen asked unanimous consent that the Assembly adjourn in memory of Jim Olsen of

Whitewater, a Common Council member and firefighter, who passed away January 3 at the age of 57. Granted.

Representative Meyers asked unanimous consent that the Assembly adjourn in memory of Red Cliff Tribal Judge Donald Gurnoe, Jr., who passed away on December 29, 2014. Granted.

Representative Barca asked unanimous consent that the Assembly adjourn in memory of Marjorie Anderson, mother of Representative Kathy Bernier, who passed away this morning. Granted.

Representative August asked unanimous consent that the Assembly adjourn in memory of Royce K. Debow of Delavan, who passed away on July 10, 2014. Granted.

Representative Barnes asked unanimous consent that the Assembly adjourn in memory of 5-year-old Laylah Peterson, who died when shots were fired into a home in Milwaukee on November 6, 2014. Granted.

Representative Barnes asked unanimous consent that the Assembly adjourn in memory of 18-month-old Bill Thao, who died when shots were fired into a home in Milwaukee on December 27, 2014. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in memory of Michael Kubly of Marshall, father of two and the youngest of 17 children, who passed away on January 2 at the age of 44. Granted.

Representative Vos asked unanimous consent that the Assembly adjourn in memory of Norman Scherrer of Burlington, who passed away on December 27, 2014. Granted.

Representative Danou asked unanimous consent that the Assembly adjourn in memory of Daniel Phillip Carpenter of Brookfield, who passed away on December 3, 2014. Mr. Carpenter is the father of Representative Danou's staff member Dan Carpenter. Granted.

Representative Petryk asked unanimous consent that the Assembly adjourn in memory of Reverend Elmer Pannier of Eau Claire, who passed away on January 3 at the age of 97. Granted.

Representative Nygren asked unanimous consent that the Assembly adjourn in memory of his mother, Susan Nygren-Smith of Marinette, who passed away on September 22, 2014. Granted.

Representative Sargent asked unanimous consent that the Assembly adjourn in memory of Jordan Pitz of Madison, who passed away on January 5. Granted.

Representative Taylor asked unanimous consent that the Assembly adjourn in honor of the University of Wisconsin Badger Football Team for their 34-31 victory over the Auburn Tigers in the Outback Bowl on January 1. Granted.

Representative Goyke asked unanimous consent that the Assembly adjourn in honor of his fiancée, Gabriela A. Leija, upon her graduation from law school and position as trial attorney with the State Public Defender's Office. Granted.

Representative Schraa asked unanimous consent that the Assembly adjourn in honor of his daughter Annalise Marie Schraa, who wasn't able to attend the inauguration on Monday due to illness. Granted.

Representative Barca asked unanimous consent that the Assembly adjourn in honor of his mother, Joyce Barca, who is recovering from a recent illness. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Alice Hensen of Sun Prairie, upon her retirement after 48 years at the Bank of Sun Prairie. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of the Oaks Golf Course in Cottage Grove, for winning the Golf Course Owners of Wisconsin's Best Food and Beverage Award for 2014. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Mike McCutcheon of Sun Prairie, for winning the 2014 James J. Reininger Lifetime Achievement Award. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Sun Prairie native John Sheehan, for being named President of UW Health at The American Center and Senior Vice President of UW Hospital and Clinics. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Vern Suchomel of Sun Prairie, who went to Washington, DC on the Badger Honor Flight this past summer. Mr. Suchomel honorably served in the Korean War as a Sergeant in the 96th Field Artillery Battalion - Battery A. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Carlyle Teske of Sun Prairie, who went to Washington, DC on the Badger Honor Flight this past summer. Mr. Teske honorably served in the Korean War as a Corporal in the 31st Division - Anti Aircraft Battalion, and was stationed in France. Granted.

Representative Murphy asked unanimous consent that the Assembly adjourn in honor of his 101-year-old mother, Beatrice Murphy, who was recently released from the hospital after a brief illness. Granted.

Representative Murphy asked unanimous consent that the Assembly adjourn in honor of his daughter Sara, on the occasion of her 34th birthday. Granted.

ADJOURNMENT

Representative Steineke moved that the Assembly stand adjourned pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

2:44 P.M.